

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DAVID SOLOMON, *on behalf of himself and others
similarly situated in the proposed FLSA Collective
Action,*

Plaintiff,

- against -

A + VALET PARKING INC. and CARLOS
SARAVIA,

Defendants.

ORDER

22-cv-7331 (ER)

Ramos, D.J.:

On August 27, 2022, David Solomon brought this action against A + Valet Parking and Carlos Saravia, alleging violations of the Fair Labor Standards Act. Doc. 1. A + Valet Parking was served on September 6, 2022 and was required to answer by September 27, 2022. Doc. 6. As of October 7, 2022, Banks had not appeared or responded to the complaint; accordingly, the Court instructed Solomon to submit a status report by October 14, 2022.¹ Doc. 8.

On October 13, 2022, Solomon filed an affidavit seeking default judgment and proposed clerk's certificate of default. Docs. 9, 10. The Clerk of Court entered the certificate of default that same day. Doc. 11. Also on October 13, 2022, Solomon advised that he was still in the process of serving Saravia. Doc. 8. He was required to do so by November 25, 2022.

Since October 13, 2022, Solomon has not taken any additional steps pursuant to the Default Judgment Procedure of the [Individual Practices of the Court](#), which includes preparing an Order to Show Cause. Additionally, as of the date of this Order, Saravia has not been served.

¹ As of the date of this Order, A + Valet Parking has still not appeared or responded to the complaint.

By December 5, 2022, Solomon is therefore directed to move forward with the Default Judgment Procedure and serve Saravia, or to otherwise provide the Court another status update. Failure to do so may result in dismissal of the case for failure to prosecute.

It is SO ORDERED.

Dated: November 28, 2022
New York, New York



EDGARDO RAMOS, U.S.D.J.